

ENTERED

January 26, 2023

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**NAVERSIA CE' ALLEN ALEXANDER,
"Petitioner",

v.

BOBBY LUMPKIN, Director, Texas
Department of Criminal Justice,
Correctional Institutions Division,
"Respondent".§
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Civil Action No. 1:22-cv-00002

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Before the Court are these pleadings: Petitioner's "Petition for Writ of Habeas Corpus by a Person in State Custody" ("Petition") (Dkt. No. 1), Petitioner's "Memorandum of Law in Support of Petition Application for Writ of Habeas Corpus" (Dkt. No. 2), Respondent's "Motion for Summary Judgment with Brief in Support" ("MSJ") (Dkt. No. 12) and the "Magistrate Judge's Report and Recommendation" ("R&R") (Dkt. No. 13). The R&R recommends this Court (1) grant Respondent's MSJ (Dkt. No. 12) (2) dismiss Petitioner's Petition with prejudice (3) direct the Clerk of Court to close this case and (4) decline to issue a certificate of appealability.

No objections were filed by either party. When no objections are filed to a magistrate judge's ruling, the district court applies the "clearly erroneous, abuse of discretion and contrary to law" standard of review. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989). Finding no clear error, abuse of discretion, or finding contrary to law, the R&R is **ADOPTED**.

Respondent's MSJ (Dkt. No. 12) is **GRANTED**. Petitioner's Petition (Dkt. No. 1,2) is **DISMISSED** with prejudice. The Court declines to issue a certificate of appealability.

The Clerk of Court is **ORDERED** to close this case.

Signed on this 26th day of January, 2023.



Rolando Olvera
United States District Judge